

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

HAROLD JOHN MCGURL,

Petitioner

v.

COMMONWEALTH OF
PENNSYLVANIA, *et al.*,

Respondents

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CIVIL ACTION NO. 3:18-CV-2176

(Judge Caputo)

O R D E R

AND NOW, this **23rd** day of **JANUARY 2019**, in accordance with the accompanying memorandum, it is **ORDERED** that:

1. Mr. McGurl's motion to proceed *in forma pauperis* (ECF No. [2](#)) is **GRANTED**.
2. The petition for writ of habeas corpus (ECF No. [1](#)) is **DISMISSED** without prejudice.
3. A certificate of appealability is **DENIED**. [28 U.S.C. 2253\(c\)](#).
4. The Clerk of Court is directed to **CLOSE** this case.

/s/ A. Richard Caputo

A. RICHARD CAPUTO
United States District Judge